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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,013	11/21/2003	Vincent Craig Olsen		8745

7590  
Vincent Craig Olsen  
1618 Lenz Lane  
Boise, ID 83712

05/30/2007

EXAMINER
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CRANE, DANIEL C

ART UNIT	PAPER NUMBER
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3725

MAIL DATE	DELIVERY MODE
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05/30/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/718,013

Applicant(s)

OLSEN, VINCENT CRAIG

Examiner

Daniel C. Crane

Art Unit

3725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) 3-7 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

Art Unit: 3725

**RESPONSE**

Applicant has submitted an Amendment on March 6, 2007 amending claim 1 to bring out a feature not previously considered. In light of the new claims, the following action is deemed appropriate. Accordingly, the following action is in response to applicant Amendment of March 6, 2007.

**REJECTION OF CLAIMS OVER PRIOR ART**

Claims 1 and 2 are rejected under 35 USC 102(b) as being anticipated by Leese (3,831,419). With reference to Figures 1, 2 and 4, Leese shows a pure bending moment in the shaping of elongate material P by a pair of torque members 19 with non-slip contacts in the form of channels 21, the torque members 19 turn in opposite directions simultaneously while concurrently linearly moving towards one another along horizontal rails 12. Applicant's attention is directed to column 3, lines 48-60, where

“(i)t will be apparent from the foregoing that when the machine is in the position shown in FIG. 1 and a pulling force is applied to the cables 33, the levers 26, 26 will be rotated about the axes of the torque member 19 in relatively opposite direction to the position shown in FIG. 2. The torque members, of course, will rotate with the levers, and the panel P with its side edges placed in the channels 21 on the torque members will be bent from the flat form shown in FIG. 1 to the curved form shown in FIG. 2. As the transverse dimension of the curving panel decreases, the torque members 19 will automatically move closer together while the carriages 14 move toward each other along the rails 12.”

Since the carriages 14 having the torque members 19 mounted thereon are allowed to automatically move towards one another during the bending operation, rotation of the two torque members 19 will be at equal rates because of the influence of the cables 33 that are pulled around the pulleys of each of the torque members. No stresses are placed on the elongate material

Art Unit: 3725

during the bending process other than the pure bending moment. This is evident by virtue of the elongate material being subjected to the equal and opposite couples.

Claims 1 and 2 are further rejected under 35 USC 102(b) as being anticipated by Fuchs (3,004,584). Figures 1, 2 and 5 are representative of the claimed embodiment in that Fuchs' elongate material 10 is gripped by non-slip contacts 11 (Figure 5) on torque couples 12 such that the torque couples can be rotated in opposite direction while allowing the torque couples to freely move towards one another during the bending process. Attention is directed to column 4, lines 46-53 where

“(s)ince the panel intermediate the gripped opposite edges thereof is unconstrained, it bends in accordance with its stiffness characteristics and so as to remain in equilibrium as respects moments of force exerted thereon through the clamps, the spatial positions of the clamps affecting the transmitted moments and therefore the resultant configuration of the permanently deformed panel.”

Further, attention is directed to column 5, lines 3-7, where

“(w)hen the opposite pairs of clamps 11 and support assemblies 17 are free to translate laterally along ways 24, the clamps transit a couple which produces a bending moment exerted on the panel and also transmit the downwardly exerted weight of the panel to the ways 24.”

Accordingly, the bending of the elongate material 10 is produced by a pure bending moment through non-slip contacts while simultaneously rotating torque couples in opposite direction at equal rates while also allowing the torque couples to move towards one another along linear ways 24. Clearly, the elongate member is subjected to equal and opposite couples while acting in the same longitudinal plane. No stresses are placed on the elongate material during the bending process other than the pure bending moment. This is evident by virtue of the elongate material being subjected to the equal and opposite couples.

## **RESPONSE TO APPLICANT'S COMMENTS**

Applicant's comments have been carefully considered. Those comments are moot in light of the new grounds of rejections, such rejections having been necessitated by applicant's amendment.

## **WITHDRAWAL OF NON-ELECTED CLAIMS**

Claims 3-7 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on May 27, 2005.

## **FINAL OFFICE ACTION**

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 3725

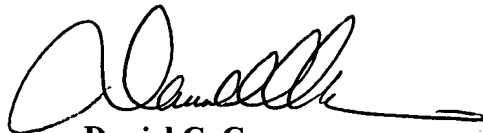
## INQUIRIES

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner D. Crane whose telephone number is **(571) 272-4516**. The examiner's office hours are 7:00AM-3:30PM, Monday through Friday. If the examiner cannot be reached, the examiner's supervisor, Mr. Derris Banks, can be reached at **(571) 272-4419**.

Documents related to the instant application may be submitted by facsimile transmission at all times to Fax number **(571) 273-8300**. Applicant(s) is(are) reminded to clearly mark any transmission as "DRAFT" if it is not to be considered as an official response. The Examiner's Fax number is **(571) 273-4516**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DCCrane  
May 24, 2007



**Daniel C. Crane**  
Primary Patent Examiner  
Group Art Unit 3725